

Civil Disobedience Trial Opens

January 15, 2004

Rabbi Arik Ascherman writes:

Tens of rabbis, activists, diplomats and journalists were forced to wait outside the overflowing Jerusalem Magistrate's Court courtroom. Our lawyer outlined the points which we would attempt to prove, emphasizing our central claim that protesting home demolitions is legitimate given that the policy of home demolition is an unjust and discriminatory policy which prevents Palestinian residents of East Jerusalem, who cannot attain permits, from building homes legally.

He also argued that Palestinian homes are more likely to be demolished than Jewish homes that have similar violations. He cited the Or Commission report which establishes the link between Israeli land policy towards Arabs, "illegal" construction and home demolitions. He also quoted from the report the fact that there are police officers who refuse to take part in demolitions, strengthening the argument that the order to demolish a home is illegal. He quoted from the Bible; You shall not oppress the stranger (Leviticus 19), and argued that a state which wishes to be Jewish and Democratic must not allow itself to implement such policies. Finally, it was also stressed that far more violent acts taken by settlers often don't go to court.

As expected, the prosecution attempted to argue that our arguments were not germane.

Judge Feldman granted the defense 20 days to submit evidence and material pertaining to the demolition of homes in East Jerusalem. The state will reply within 15 days after that. The date for the next court hearing has been set for March 24th.